

AMENDMENT TO RULES COMMITTEE PRINT 118–

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OFFERED BY MS. OMAR OF MINNESOTA

At the end of subtitle A of title VIII, insert the following:

1 SEC. 8 ____ . HUMAN RIGHTS DISCLOSURES.

2 (a) ANNUAL ANALYSIS.—

3 (1) IN GENERAL.—Each covered contractor
4 shall conduct an annual analysis to—

5 (A) identify the existence of any human
6 rights risks in the operations and the value
7 chain of the covered contractor, that are known
8 or should be known, and rank any risks identified based on their severity; and

10 (B) identify the existence of any human
11 rights impacts in the operations and the value
12 chain of the covered contractor, that are known
13 or should be known, and rank any impacts identified based on their severity.

15 (2) RANKING.—

16 (A) RISKS.—When ranking human rights
17 risks under paragraph (1)(A), the covered contractor shall consider the gravity and expected
18

1 extent of any potential harm to human rights,
2 and any anticipated challenges in remedying
3 any potential harm.

4 (B) IMPACTS.—When raking human rights
5 impacts under paragraph (1)(B), the covered
6 contractor shall consider the gravity of the
7 human rights impacts, the extent of harm, and
8 any challenges in remedying such harm.

9 (b) DISCLOSURES.—Each covered contractor shall
10 submit to the congressional defense committees an annual
11 report that includes, under a heading labeled “Human
12 Rights Risk and Impact Report”—

13 (1) a brief description of the supply chain of
14 the covered contractor, including subsidiaries and
15 business relationships, to the extent not otherwise
16 disclosed in such report;

17 (2) a description of any process through which
18 the covered contractor educates executives, employ-
19 ees, contractors, subcontractors, and other persons
20 in its value chain about any human rights policies
21 that the covered contractor has;

22 (3) a description of the analysis conducted pur-
23 suant to subsection (a);

24 (4) the results of the analysis conducted pursu-
25 ant to subsection (a), including—

1 (A) the ranked list of any human rights
2 risks identified; and

3 (B) the ranked list of any human rights
4 impacts identified;

5 (5) a description of any action, including the es-
6 tablishment of any monitoring process, the covered
7 contractor has taken to avoid or mitigate—

8 (A) any human rights risks identified in
9 the current analysis;

10 (B) any human rights risks identified in
11 any analysis described in the most recent an-
12 nual report;

13 (C) any human rights impacts identified in
14 the current analysis; and

15 (D) any human rights impacts identified in
16 the analysis described in the most recent annual
17 report;

18 (6) for any action taken, the assessment of the
19 covered contractor of the efficacy of the action and
20 a description of any outcomes of such action;

21 (7) if no action was taken, a reasoned expla-
22 nation of why no action was taken;

23 (8) a description of any process the covered
24 contractor has in place to avoid and mitigate any

1 human rights impacts that it has caused or may
2 cause; and

3 (9) if no such process is in place, a reasoned ex-
4 planation of why no such process is in place.

5 (c) DEFINITIONS.—For the purposes of this section:

6 (1) The term “covered contractor” means a
7 contractor or subcontractor (at any tier) of the De-
8 partment of Defense.

9 (2) The term “human rights risk” means an
10 adverse impact that an action of the covered con-
11 tractor has had on the enjoyment of human rights,
12 including those rights encompassed in—

13 (A) the Universal Declaration of Human
14 Rights;

15 (B) the International Covenant on Civil
16 and Political Rights;

17 (C) the International Covenant on Eco-
18 nomic, Social, and Cultural Rights; and

19 (D) the eight core conventions of the Inter-
20 national Labor Organization.

21 (3) The term “human rights risk” means a po-
22 tential adverse impact that an action of the covered
23 contractor may have on the enjoyment of human
24 rights, including those rights encompassed in—

1 (A) the Universal Declaration of Human
2 Rights;

3 (B) the International Covenant on Civil
4 and Political Rights;

5 (C) the International Covenant on Eco-
6 nomic, Social, and Cultural Rights; and

7 (D) the eight core conventions of the Inter-
8 national Labor Organization.

9 (4) The term “value chain” means, for an cov-
10 ered contractor—

11 (A) any recruiters of workforce labor, and
12 suppliers of products, component parts, and
13 raw materials used by the covered contractor in
14 manufacturing any products of the covered con-
15 tractor, even if the relationship with such re-
16 cruitor or supplier is indirect; and

17 (B) entities that receive products or serv-
18 ices from the covered contractor, other than for
19 personal use.

